

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**RAMADA WORLDWIDE INC.**

**Plaintiff,**

**v.**

**LBM FINANCIAL LLC,  
MARCELLO MALLEGNI,  
HTL CORP. and  
SYLVESTER P. RUGGIERO, JR.**

**Defendants.**

**Civil Action No. 1:06-cv-00205-JD**

**June 27, 2006**

**STIPULATED INJUNCTION**

This matter having been opened to the Court by way of a Verified Complaint filed by Plaintiff Ramada Worldwide Inc. ("RWI") for the entry of a preliminary injunction against Defendants LBM Financial LLC ("LBM") and Marcello Mallegni ("Mallegni") to enjoin Defendants LBM and Mallegni from any further use of the RWI trade names or service marks ("Ramada Marks"), or the use of names and marks confusingly similar to the Ramada Marks, and it appearing that the parties hereto have consented to the terms and conditions of the within Order and good cause having been shown without prejudice to the right of Defendants LBM and Mallegni to assert that they are not proper defendants with respect to the monetary claims set forth in the Verified Complaint::

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:**

1. Defendants LBM and Mallegni and their officers, agents, members, affiliates, subsidiaries, independent contractors, servants, employees and attorneys, and all persons in

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active concert or participation with them who receive actual notice hereof by personal service or otherwise, are hereby permanently enjoined and restrained from continuing to operate, market, promote or rent guest rooms at the hotel located at 21 Front Street, Manchester, New Hampshire (the "Hotel") such that the origin of the Hotel's goods or services are falsely designated as being those of RWI, or designated in a manner that is confusingly similar to those of RWI, or from otherwise using the names "Ramada" or "Ramada Inn" or any other form, version or variation of Plaintiff's trademarks, service marks, trade names, proprietary trade dress or other intellectual property.

2. The injunction described above encompasses, but is not limited to, the use of any and all print or telecommunications advertisements, drafts, labels, signs, flyers, stationery, envelopes, applications, booklets, brochures, catalogues, circulars, pamphlets, periodicals, bulletins, instructions, minutes, other communications, purchase orders, contracts, agreements, options to purchase, deeds, memoranda of agreements, assignments, licenses, books of account, orders, accounts, working papers, plans, internet sites, domain names and/or e-mail and e-mail addresses that display, in any manner, the Ramada trade names and service marks, any derivation of the Ramada trade names and service marks, or names and marks confusingly similar to the Ramada trade names and service marks, and it is further

3. If they have not done so already, Defendants Mallegni and LBM shall immediately cover any signs on or at the Hotel that contain the names "Ramada" or "Ramada Inn" or any other form, version or variation of Plaintiff's trademarks, service marks, trade names, proprietary trade dress or other intellectual property so that they are no longer visible to guests or passers-by.

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4. Within fourteen days hereof, Defendants Mallegni and LBM shall cause any signs on or at the Hotel that contain the names "Ramada" or "Ramada Inn" or any other form, version or variation of Plaintiff's trademarks, service marks, trade names, proprietary trade dress or other intellectual property to be physically and permanently removed from the property, rather than merely covered.

5. This Stipulated Injunction is binding upon Defendants Mallegni and LBM and their officers, agents, members, affiliates, subsidiaries, independent contractors, servants, employees and attorneys, and those persons in active concert or participation with them who receive actual notice hereof by personal service or otherwise, and these parties waive all right to appeal from this Stipulated Injunction, including but not limited to all right to have the Stipulated Injunction reviewed, approved, modified or vacated by a United States District Judge.

**PLAINTIFF,  
RAMADA WORLDWIDE INC.**

By: 

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**DEFENDANTS,  
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It is **SO ORDERED** this 28<sup>th</sup> day of June, 2006.

  
United States District Court Judge